

AMENDED IN ASSEMBLY MAY 1, 2006

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2117

Introduced by Assembly Members ~~Goldberg and Coto~~ Coto, Goldberg, Umberg, Wyland, Arambula, Hancock, Huff, Liu, Mullin, Pavley, and Richman

February 17, 2006

An act to add ~~Sections 60650 and 60850.5~~ *Section 60650* to, and to add Chapter 5 (commencing with Section 420) to Part 1 of, the Education Code, relating to English language learners.

LEGISLATIVE COUNSEL'S DIGEST

AB 2117, as amended, ~~Goldberg~~ Coto. English language learners: waivers.

Existing law establishes the English Language Acquisition Program for pupils in grades 4 to 8, inclusive, and requires the Superintendent of Public Instruction to allocate \$100 per school year to each participating local educational agency for each pupil enrolled in any of those grades who is identified as eligible to participate in the program.

This bill would require the State Department of Education to establish and administer a ~~three-year~~ *3-year* competitive grant pilot project to commence September 1, 2007. The goal of the pilot project is to inform curriculum, instruction, inservice staff development, and levels of teacher certification regarding the most effective practices for teaching English language learners and promoting English language acquisition and development. The bill would authorize a school district that contains at least one elementary school with—at an

enrollment of at least 100 English language learners, middle or junior high school with an enrollment of at least 200 English language learners, or high school with an enrollment of at least 300 English language learners to apply on behalf of the eligible school or schools to the department for a grant of ~~five hundred dollars (\$500)~~ \$500 per English language learner for each of the ~~three~~ 3 years of the pilot project. The bill would require the department to require each school district that is selected to receive a grant to provide up to \$500 per pupil of its own funds to match the funds provided in the grant. The bill would require the department, in consultation with the University of California and the county offices of education of the Counties of Los Angeles, San Bernardino, San Diego, San Joaquin, and Santa Clara, as part of that pilot project, to develop a plan for a training program for English language teachers, school and school district administrators, and classified staff, as specified.

This bill would provide that those provisions will become operative only if an appropriation is made for those purposes in the annual Budget Act or other statute.

Existing law establishes various statewide academic assessments, including the Standardized Testing and Reporting Program.

~~The—~~

This bill would require each school district in the state to provide each English language learner who has been attending public schools in the state for less than ~~three~~ 3 years with extra support and assistance on all statewide academic assessments, as specified. By requiring school districts to provide this additional support and assistance, the bill would impose a state-mandated local program.

~~Existing law requires the Superintendent of Public Instruction, with the approval of the State Board of Education, to develop a high school exit examination in English language arts and mathematics in accordance with the statewide academically rigorous content standards adopted by the state board, as specified. Existing law requires, commencing with the 2003–04 school year and in each school year thereafter, each pupil completing grade 12 to successfully pass the exit examination as a condition of graduation from high school.~~

~~This bill would require the Superintendent to review and modify that examination to reduce any unnecessary linguistic complexity without reducing the academic rigor of the examination. The bill would also require the department to ensure that English language~~

~~learners who are taking the high school exit examination are provided test directions and glossaries for the examination that are translated into the 50 most common primary languages spoken by English language learners. To the extent that this bill would require schools and school districts to modify their academic tests and provide additional test materials to pupils, the bill would impose a state-mandated local program.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 5 (commencing with Section 420) is
2 added to Part 1 of the Education Code, to read:

3
4 CHAPTER 5. ENGLISH LANGUAGE LEARNER ACQUISITION AND
5 DEVELOPMENT PILOT PROGRAM
6

7 420. (a) The department shall establish and administer a
8 three-year competitive grant pilot project to commence on
9 September 1, 2007. The goal of the pilot project is to inform
10 curriculum, instruction, inservice staff development, and level of
11 teacher certification regarding the most effective practices for
12 teaching English language learners and promoting English
13 language and academic English acquisition and development.

14 (b) The pilot program may include, but is not limited to, any of
15 the following:

16 (1) Additional hours per schoolday or additional days per
17 school year for purposes of providing English language
18 instruction.

19 (2) Continued academic support and services for redesignated
20 fluent-English-proficient pupils.

1 (3) Special services and programs for pupils who recently
2 enrolled in a school for the first time.

3 (c) A school district that contains at least one elementary
4 school with—at an enrollment of at least 100 English language
5 learners, middle or junior high school with an enrollment of at
6 least 200 English language learners, or high school with an
7 enrollment of at least 300 English language learners may apply
8 on behalf of the eligible school or schools to the department for a
9 grant of five hundred dollars (\$500) per English language learner
10 for each of the three years of the pilot project. A school district
11 that is selected to receive a grant shall agree to allow the
12 independent research organization that conducts the evaluation
13 pursuant to subdivision (e) unlimited access to information
14 regarding the results of participation by the eligible school or
15 schools in the pilot project for purposes of collecting data.

16 (d) The department shall require each school district that is
17 selected to provide up to five hundred dollars (\$500) per pupil of
18 its own funds to match the funds provided in the grant. The
19 department shall establish criteria for evaluating grant
20 applications and selecting applicant school districts to receive
21 grants. The criteria shall ensure the selection of a diverse mix of
22 schools that represent all of the following:

23 (1) Urban, suburban, and rural schools from the various
24 geographic regions of the state.

25 (2) Various instructional approaches, including, but not
26 limited to,—~~structure~~ *structured* English immersion, bilingual
27 instruction, dual language immersion, and mainstream
28 instruction.

29 (3) Enrollment of pupils of low socioeconomic status and of
30 varying levels of academic proficiency and performance as
31 measured by the Academic Performance Index pursuant to
32 Article 2 (commencing with Section 52051) of Chapter 6.1 of
33 Part 28.

34 (e) The department shall contract with an independent research
35 organization to perform an evaluation of the pilot project based
36 on a representative sample of 50,000 English language learners
37 from participating urban, suburban, and rural schools from
38 various geographic regions throughout the state. The evaluation
39 shall be performed using funds other than those appropriated for
40 purposes of this chapter. It is the intent of the Legislature that the

1 completed evaluation highlight successful programs of English
2 language instruction that can be used as models for other schools.
3 A report summarizing the findings of the evaluation shall be
4 submitted to the Superintendent, the Governor, and the
5 Legislature by November 1, 2011. The Superintendent shall
6 review the report and submit an additional report to the
7 Legislature that makes recommendations based on the evaluation
8 by the independent research organization.

9 (f) It is the intent of the Legislature to enact legislation that
10 provides flexibility to schools and school districts that receive
11 grants and participate in the pilot project pursuant to this section
12 with regard to restrictions imposed by state law and school
13 district policies and regulations that may hinder the participation
14 by those schools and school districts.

15 421. (a) A consortium that includes the department, the
16 University of California, the California State University, and the
17 county offices of education of the Counties of Los Angeles,
18 Orange, Riverside, San Bernardino, San Diego, San Joaquin, and
19 Santa Clara, shall develop a plan for a training program for
20 English language teachers, school and school district
21 administrators, and classified staff by doing all of the following:

22 ~~(2)–~~

23 (1) By April 1, 2007, meet to prepare plans to provide training
24 to English language teachers regarding the pilot project
25 established pursuant to this chapter.

26 ~~(3)–~~

27 (2) By May 1, 2007, develop a database of teachers in the state
28 with the requisite knowledge and skills to teach language
29 acquisition, including academic English, to teach content
30 standards to English language learners, and to engage with the
31 families of English language learners in the process of language
32 acquisition.

33 ~~(4)–~~

34 (3) By June 1, 2007, develop core program elements, peer
35 coaching models, and effective instructional programs based on
36 content standards adopted by the state board to first be used for
37 training in the counties described in this subdivision and to be
38 used subsequently throughout the state.

39 ~~(5)–~~

(4) Develop a set of embedded formats to be used by schools and school districts that participate in the pilot project established pursuant to this chapter to assist those schools and districts in the implementation of effective English language instructional strategies. The embedded formats may include, but are not limited to, demonstration teaching, classroom visits, learning circles, and team teaching.

~~(6)–~~

(5) By September 1, 2007, both of the following:

(A) Publish and release a list of qualified teacher trainers, criteria for those trainers, instructional programs and program elements, and a calendar that documents the delivery schedule for training.

(B) Direct the commencement of teacher training in each of the counties described in this section.

~~(7)–~~

(6) By October 1, 2007, commence data collection regarding the structure and operation of the training program.

~~(8)–~~

(7) By June 1, 2008, develop effective instructional programs for school and school district administrators and classified staff.

~~(9)–~~

(8) By September 1, 2008, all of the following:

(A) Direct the commencement of training for school and school district administrators and classified staff.

(B) Commence comparative data collection regarding the impact of the training program established pursuant to this section on classroom instruction and pupil learning.

(C) Direct the commencement of training in all other counties in the state other than those described in this subdivision.

~~(10)–~~

(9) By September 1, 2009, direct the commencement of training for school and school district administrators and classified staff in all other counties in the state other than those described in this subdivision.

(b) Subdivision (a) shall apply to the University of California only if its participation is approved by resolution of the Regents of the University of California.

1 422. This chapter shall become operative only if an
2 appropriation is made for its purposes in the annual Budget Act
3 or other statute.

4 SEC. 2. Section 60650 is added to the Education Code, to
5 read:

6 60650. A school district shall provide each English language
7 learner who has been attending public schools in the state for less
8 than three years with extra support and assistance on all
9 statewide academic assessments, including, but not limited to,
10 supplemental test booklets translated into the three most common
11 primary languages spoken by English language learners and
12 having the examination read to the pupil in his or her primary
13 language.

14 ~~SEC. 3. Section 60860.5 is added to the Education Code, to~~
15 ~~read:~~

16 ~~60850.5. (a) The Superintendent shall review and modify the~~
17 ~~high school exit examination to reduce any unnecessary~~
18 ~~linguistic complexity without reducing the academic rigor of the~~
19 ~~examination.~~

20 ~~(b) The department shall ensure that English language learners~~
21 ~~who are taking the high school exit examination are provided test~~
22 ~~directions and glossaries for the examination that are translated~~
23 ~~into the 50 most common primary languages spoken by English~~
24 ~~language learners in the state.~~

25 ~~SEC. 4.~~

26 SEC. 3. If the Commission on State Mandates determines that
27 this act contains costs mandated by the state, reimbursement to
28 local agencies and school districts for those costs shall be made
29 pursuant to Part 7 (commencing with Section 17500) of Division
30 4 of Title 2 of the Government Code.